THE

TRIALS

OF

Joseph Sullivane alias Silver, Robert Whitty, and Felix Hara,

For High Treason;

At *Justice-Hall* in the *Old-Baily*.

On *Tuesday* the 18th of this Instant *October*, 1715.

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THE

TRIALS

OF

Joseph Shuldham, alias Lee,

Robert Whitney, and Peter Berry,

For High Treason;

At Justice-Hall in the Old-Bailey,

On Tuesday the 18th of this Instant October, 1715.

A Continuation of the Proceedings on the King's Commiſſion of Goal Delivery of Newgate, *held for the County of* Middleſex, *at Juſtice-Hall, in the* Old-Baily, *by Adjournment from* Saturday *the* 15*th of* October, 1715. *to* Tueſday *the* 18*th of the ſame Month, being the Day appointed for the Trials of the three following Criminals, before the Right Hon*ble *Sir* WILLIAM HUMFREYS, *Knt. and Bar. Lord-Mayor of the City of* London, *the Right Hon*ble *Sir* THOMAS PARKER, *Knt. Lord Chief Juſtice of His Majeſties Court of* King's Bench, *Mr. Juſtice* TRACY, *Mr. Baron* BURY, *Sir* WILLIAM THOMPSON, *Knt. Recorder of the ſaid City of* London, *with ſeveral of His Majeſties Juſtices of the Peace for the County of* Middleſex.

The TRIALS of Joſeph Sullivane alias Silver, Robert Whitty, and Felix Hara, for High Treaſon.

THE Priſoners by their Council mov'd to put off their Trials, upon Pretence that they had not had Copies of their Indictments delivered to them 5 Days ago, nor Copies of the Pannel of the Jury delivered to them 2 Days ago, (purſuant to the Act of Parliament for Regulating of Trials in Caſes of High Treaſon, and Miſpriſion of Treaſon) and that they had not been ſuffer'd to ſend for

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their

their Friends, in order to prepare for their Defence: But upon Examination of that Matter in Court upon Oath, it fully appear'd that the Priſoners had true Copies of their Indictments delivered to them reſpectively on the 11th Inſtant, and Notice of Trial given them at the ſame time for this Day; and that Copies of the Pannel of the Jury had been ſeverally delivered to them on the 14th Inſtant, and alſo that the ſaid Priſoners had full Liberty to ſend for their Friends, and had actually ſent for ſuch as they thought fit; that ſome of thoſe that were ſent for came, others refus'd to come, and the Priſoners had own'd themſelves to be Strangers to one of them: It appear'd likewiſe, that *Sullivane* alias *Silver*, and *Whitty*, had had Council aſſign'd to them as ſoon as they had deſired it; and that *Hara* had not deſired Council; therefore the Court did not think it reaſonable to put off their Trials till another Seſſion.

Then the Priſoners were ſeverally Arraigned, and their Indictments open'd, which were for High Treaſon, for Compaſſing and Imagining to Dethrone and Murther the KING, and to ſet the Pretender upon the Throne: And the Overt Act of the ſaid Treaſon (as againſt the ſaid *Sullivane* alias *Silver*) was, his having Liſted ſeveral Perſons, and particularly the two other Priſoners, *Whitty* and *Hara*, as Soldiers in the Pretender's Service; and having himſelf taken and adminiſtred to the ſaid two other Priſoners, an Oath of Allegiance and Fidelity to the ſaid Pretender, and paid the ſaid two other Priſoners 2 *s.* 6 *d.* a-piece, for Lifting Money. And the Overt Act, as againſt the ſaid *Whitty* and *Hara*, was their having Lifted themſelves as Soldiers in the ſaid Pretender's Service, and taken an Oath of Allegiance and Fidelity to the ſaid Pretender, and received of the ſaid other Priſoner *Sullivane* alias *Silver*, the ſaid Lifting Money of 2 *s.* 6 *d.* a piece.

To

To which Indictments the ſaid *Sullivane* alias *Silver*, *Whitty*, and *Hara*, ſeverally pleaded *Not Guilty*.

But it was plainly and fully prov'd upon them by 3 Witneſſes, that they were *Guilty* of the Facts alledged in the Indictments, and that *Sullivane* alias *Silver* was at the ſame Time one of His Majeſties Foot Guards, and had own'd, that he liſted himſelf in the Guards to be the more unſuſpected in liſting Men for the Pretender; and that when he liſted the other two Priſoners, he agreed to give them 12 *d.* a Day a piece for Subſiſtance, and actually paid *Whitty* 2 *s.* for two Days Subſiſtance; whereupon they were all three found *Guilty* of High Treaſon, and Sentence of Death was pronounced upon them as uſual in Caſes of High Treaſon.

The next enſuing Seſſions to begin on *Wedneſday* the 7th Day of *December* next.

God ſave King George.

Sir William Humfreys, *Knt.* & *Bar. Lord-Mayor.*

To which Indictments the said Sollicitor, Writing, and Mary, severally pleaded Not Guilty.

But it was plainly and fully prov'd upon them by 2 Witnesses, that they were Guilty of the Facts alledged in the Indictments, and that Smith was at the same Time one of His Majesties Foot Guards, and had own'd that he listed himself in the Guards to be the more underpowered in listing Men for the Pretender; and that when he listed the other two Prisoners, he agreed to give them 12 d. a Day a piece for Subsistance, and actually paid Wiley 2 s. for two Days Subsistance; whereupon they were all three found Guilty of High Treason, and Sentence of Death was pronounced upon them as usual in Cases of High Treason.

The next sitting Sessions to begin on Wednesday the 7th Day of December next.

God save King George.

Sir William Humfreys, Knt. Mr. Lord-Mayor.